5611226/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Revenue Department - Sri S. Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and Superintending Engineer (R&B), I&QC Circle Vijayawada (Retd.)- Initiation of disciplinary proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Articles of charge - Issued.

==========

REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.787 Dated:16-12-2021

G.O.Ms.No.361, Rev.(Vig.I) Dept., dt:16.12.2021

-o0o

ORDER:

In pursuance of the sanction accorded by the Government under subclause (i) of clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980 for instituting departmental proceedings against Sri S. Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and Superintending Engineer (R&B) , I&QC Circle Vijayawada (Retd.) vide G.O. read above, it is proposed to hold an enquiry against Sri S.Srinivasulu, the then Executive Engineer, (R&B), Kovvuru Division, and Superintending Engineer(R&B), I&QC Circle, Vijayawada(retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct / misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III & IV).

3. Sri S. Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and Superintending Engineer (R&B) , I&QC Circle Vijayawada (Retd.) is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri S. Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and Superintending Engineer (R&B) , I&QC Circle Vijayawada (Retd.) is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S. Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and Superintending Engineer (R&B) , I&QC Circle Vijayawada (Retd.) is further informed that if he does not submit his written statement of defence on or before the date specified in para3 above, further action will be processed based on the material available.

6. Attention of Sri S. Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and Superintending Engineer (R&B) , I&QC Circle Vijayawada (Retd.) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri S. Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and Superintending Engineer (R&B) , I&QC Circle Vijayawada (Retd.) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri S.Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and Superintending Engineer (R&B) , I&QC Circle Vijayawada (Retd.) (through Transport, Roads & Buildings Department, A.P Secretariat, Velagapudi)

The Transport, Roads & Buildings Department, A.P Secretariat, Velagapudi(with a request to serve the order on the individual and furnish served copy of this G.O. within a week).

The District Collector, West Godavari District

Copy to:

The Chief Commissioner of Land Administration, A.P., Vijayawada

S.F./S.C.

// FORWARDED BY ORDER //

SECTION OFFICER

5611226/2022/TAPPAL-REV01

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI S. SRINIVASULU, THE THEN EXECUTIVE ENGINEER (R&B) DIVISION, KOVVUR AND SUPERINTENDING ENGINEER (R&B) , I&QC CIRCLE VIJAYAWADA (RETIRED.)

Article of Charge-:

That Sri S. Srinivasulu, the then Executive Engineer (R&B) Division, Kovvur and presently Superintending Engineer (R&B), I&QC Circle Vijayawada (Retd.), being a responsible public servant while working in (R&B) Division, Kovvur, he has recommended irregular compensation paid to Sri Menni Rama Satya Vara Prasad for an amount of Rs.24,80,328/- for the structure (Godown/Shed) existing 1510 sqm of land acquired and in Rs No.1070/1B in Nallajerla Mandal. He has submitted the structure value based on the list communicated by Competent Authority for Land Acquisition i.e., Revenue Divisional Officer, Eluru on 31.01.2017 without verifying the documentary evidence pertaining to year of construction. Thus, without verification of the approved plans and proceeding, he mentioned the year of construction of the structure as 2015 in the valuation report issued for a structure located in Rs. No. 1070/1B of Nallajerla Village & Mandal belongs to Sri Menni Rama SatyaVara Prasad.

Thus, Sri S. Srinivasulu, the then Executive Engineer, (R&B) Division, Kovvur and Superintending Engineer (R&B), I&QC Circle, Vijayawada (Retd.), by his above mentioned acts has exhibited lack of devotion to duty and conduct unbecoming of a Government servant and there by contravened Rule 3 of A.P.C.S.(Conduct) Rules, 1964.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

5611226/2022/TAPPAL-REV01

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLEs OF CHARGE FRAME AGAINST SRI S. SRINIVASULU, THE THEN EXECUTIVE ENGINEER (R&B) DIVISION, KOVVUR AND SUPERINTENDING ENGINEER (R&B) , I&QC CIRCLE VIJAYAWADA (RETIRED.).

The GA (V&E) Department have enquired into the allegations of irregularities in payment of excess compensation in Land Acquisition for widening of NH-16 in West Godavari District and furnished Vigilance Report No.1, dated: 2.01.2019, with the following findings among others:-

1. The Competent Authority (Land Acquisition) NHAI 16 (5) acquired lands for widening/extending of 4 lane to 6 lane from RajahmundryGundugolanu Section of NH-16 from Km 15.700 to Km 50.500 of (EGK S.H. 102) on requisition from the Project Director, National High Way Authority, Project implementing Unit, Rajahmundry.

2. As a part of land acquisition - Certain lands were acquired in Nallajerla village and Land Acquisition Award passed vide Award No. 15/2017/N.R.16 (EGK-S.H. 107) Dt. 25.04.2017, wherein land extent of 1510 sqm was acquired from Sri Menni Rama SatyaVara Prasad, S/o (Late) SubbaRao in Rs No. 1070/1B in Nallajerla Village.

3. The then Executive Engineer, (R&B) Division, Kovvur made undue benefit to the land owner by recommending the Structure value of eligible Rs 24,80,328/- for the shed/ godown which does not exists as on the day of preliminary notification (i.e., 09.09-2016) for which the land Owner is not eligible.

4. Further from the facts and evidences, mentioning the year of construction basing on oral enquiry and information given by the beneficiary is not correct. Stating that the beneficiary did not furnish any approved plans at the time of valuation is not correct. The officer should have insisted for the relevant documents and scrutinize them before issue of valuations. Particularly when huge compensations were involved as in the instant case valuated the structure for Rs.24,80,328/- and compensation involved was about Rs.49,60,656/- for small petty structure like cattle sheds, thatched roof sheds etc. there may be not approved plans but for structure with higher value there shall be invariable approved plans and those have to be verified before issuing valuation thereby giving undue financial advantage to the land owner to a tune of Rs.24,80,328/- which is a loss to govt. exchequer.

5. The then Executive Engineer, (R&B) Division, Kovvur failed to follow the prescribed procedure as stipulated in the Memo No. 55284-D/ /LA (A2/99 of Te Revenue (LA) Department, Dt.16.06.2000 which stipulated Joint inspections Joint inspection of the lands, structures trees, videography of the structures, trees etc existing on the lands under acquisition to obviate undue claims for compensation and also to build-up authentic and irrefutable record of such structures, trees etc. instead resorted to non transparent way of survey procedures leading to ineligible / excess payments.

Thus, the Government servant has therefore rendered himself liable for departmental action for dereliction and negligence of duty.

Hence the charge

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

L. S. Naidu
SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI S. SRINIVASULU, THE THEN EXECUTIVE ENGINEER (R&B) DIVISION, KOVVUR AND SUPERINTENDING ENGINEER (R&B) , I&QC CIRCLE VIJAYAWADA (RETIRED.) ARE PROPOSED TO BE SUSTAINED

-(O)-

1. Vigilance Repost No.01(C.No.744/V&E/D1/2018, Dt.02.01.2019 of the Director General (VIG & ENFT.) & E.G, PRL. Secretary to Government.
2. CCLA's Ref.No. VS.I(1)428/2019, Dt.12.07.2019.
3. CCLA's Ref. No.VS.I(1)/358/2020, Dt.01.09.2020.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE CHARGES PROPOSED AGAINST SRI S. SRINIVASULU, THE THEN EXECUTIVE ENGINEER (R&B) DIVISION, KOVVUR AND SUPERINTENDING ENGINEER (R&B) , I&QC CIRCLE VIJAYAWADA (RETIRED.) ARE PROPOSED TO BE SUSTAINED

-Nil -

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER